

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION

WILLIE WILLIS,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 1:18 CV 250 RWS
	)	
CAPE GIRARDEAU COUNTY JAIL,	)	
et al.,	)	
	)	
Defendants.	)	


**MEMORANDUM AND ORDER**

This matter is before the Court on plaintiff's motion for appointment of counsel. "A pro se litigant has no statutory or constitutional right to have counsel appointed in a civil case." *Stevens v. Redwing*, 146 F.3d 538, 546 (8th Cir. 1998). A district court may appoint counsel in a civil case if the court is "convinced that an indigent plaintiff has stated a non-frivolous claim . . . and where the nature of the litigation is such that plaintiff as well as the court will benefit from the assistance of counsel." *Patterson v. Kelley*, 902 F.3d 845, 850 (8th Cir. 2018). When determining whether to appoint counsel for an indigent litigant, a court considers relevant factors such as the complexity of the case, the ability of the pro se litigant to investigate the facts, the existence of conflicting testimony, and the ability of the pro se litigant to present his or her claim. *Phillips v. Jasper Cty. Jail*, 437 F.3d 791, 794 (8th Cir. 2006).

After reviewing these factors, the Court believes that appointment of counsel is not warranted at this time. Plaintiff has demonstrated that he can adequately present his claims to the Court, and neither the factual nor the legal issues in this case appear to be unduly complex. Moreover, this case does not appear to warrant expert testimony. As for plaintiff's claim that this case is "close to trial," the Court notes that this case has not been set for trial. *See* Doc. # 42 at 2. The Court will consider future motions for appointment of counsel as the case progresses.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion for appointment of counsel [47] is denied.

  
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RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 14th day of February, 2020.